

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of the Petition of the
San Francisco Southeast Coalition of
Organizations against the Expansion of
the Southeast Sewage Plant for Review
of Order No. 76-22 (NPDES Permit No.
CA0038423) of the California Regional
Water Quality Control Board, San
Francisco Bay Region

Order No. WQ 76-18

BY THE BOARD:

The San Francisco Southeast Coalition of Organizations Against the Expansion of the Southeast Sewage Plant (petitioner) has submitted a petition to the State Water Resources Control Board (State Board) requesting review of Order No. 76-22 (NPDES Permit No. CA0038423) adopted by the California Regional Water Quality Control Board, San Francisco Bay Region (Regional Board) on March 16, 1976. Order No. 76-22 prescribes waste discharge requirements for the City and County of San Francisco (discharger) for the discharger's Southeast Sewerage Zone wet weather diversion structures.

I. BACKGROUND

The City and County of San Francisco discharges primary treated wastewater from treatment plants located in the Southeast Sewerage Zone, the North Point Sewerage Zone and the Richmond-Sunset Sewerage Zone to waters of San Francisco Bay and the Pacific Ocean. Historically, the discharger has collected domestic and industrial sewage together with storm runoff in a system of combined sewers. Since the capacity of the discharger's storage and

treatment facilities can never be adequate to provide absolute certainty that the combined flow during and/or after a storm will be fully treated, untreated and/or partially treated discharges are inevitable and waste discharge requirements for these discharges are necessary.

On March 16, 1976, the Regional Board adopted Orders Nos. 76-22, 76-23, and 76-24 establishing waste discharge requirements for the discharger's Southeast, North Point, and Richmond-Sunset Sewerage Zone wet weather diversion structures. The requirements are based on the water quality control plan for the San Francisco Bay Basin and information submitted by the discharger. Overflow frequencies are established by the Regional Board orders at one per year west of the Ferry Building, four per year for the portion of the North Point Sewerage Zone east of the Ferry Building, and four per year for the Rankin and South Side Third Street diversion structures. No specific overflow frequency is established for the balance of the Southeast Sewerage Zone. The overflow frequencies established by the Regional Board are interim in nature. All overflow frequencies are identified as being subject to modification based on the results of a city-wide overflow control study which the discharger is required to complete by a specified date.

II. CONTENTION AND ANALYSIS

Contention

Petitioner contends that the Regional Board acted inequitably in that the discharger is permitted one overflow

per year west of the Ferry Building, while four overflows per year are permitted east of the Ferry Building. Petitioner further contends that four overflows per year in the Southeast Sewerage Zone would result in a nuisance and/or a health hazard.

Findings

Both reason and the applicable water quality control plan call for lower overflow frequencies near recreation areas and for benefit-cost studies to determine the appropriate design capacity for treatment and storage facilities. We find the Regional Board's action in adopting Orders Nos. 76-22, 76-23, and 76-24 which together prescribe waste discharge requirements for the discharger's wet weather diversion structures as noted above, constitute a significant and appropriate first step in lowering overflow frequencies.

Even minimization of the number and volume of overflows from the facilities of the petitioner has been shown to be exceedingly costly. While cost of compliance alone is not a valid basis for continuing a discharge, cost in relation to benefits is a factor to be given serious consideration. The discharger has projects in progress costing over \$200 million. All these facilities, will serve as the first stage of any plan formulated pursuant to the city-wide study.

Particularly of note is requirement B.3.a. of each order, wherein the interim overflow frequency is estimated, and

footnote one thereto which states:

"This Regional Board will consider amendment of this order to further reduce frequency of discharge after review of the information requested in Provision B.4 below."

It appears that the interim overflow frequencies are appropriate and consistent with the applicable water quality control plan in that a lower frequency is specified for the overflow structures nearest the major body-contact-recreation areas. Further, it is noted that the overflow frequencies are based, in part, on cost and engineering studies submitted by the discharger.

The Regional Board orders require that odor nuisances not occur (Provisions B.1. and B.3.c.). We note that the petitioner has submitted no evidence, nor does the record contain any facts to support the contention that odor problems or health hazards are now occurring. If odor nuisances should occur, the Regional Board will take appropriate action to prevent any repetition.

III. CONCLUSION

After review of this matter, and for the reasons heretofore expressed, we conclude that the Regional Board's action was appropriate and proper and in accordance with the applicable water quality control plan. Petitioner, of course, retains its right to petition for review of any final overflow frequencies established by the Regional Board.

IT IS HEREBY ORDERED that the petition for review of
Order No. 76-22 is denied.

Dated: October 21, 1976

/s/ John E. Bryson
John E. Bryson, Chairman

/s/ W. Don Maughan
W. Don Maughan, Vice Chairman

/s/ W. W. Adams
W. W. Adams, Member

/s/ Roy E. Dodson
Roy E. Dodson, Member

/s/ Jean Auer
Jean Auer, Member